

REMARKS

Reconsideration of this application in light of the above amendments and the following remarks is requested. Claims 1, 3, 10, 11, 16, 17, and 18 have been amended.

Rejections under 35 U.S.C. § 102(b)

Claims 1-4 and 6-23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,222,909 to Qua et al. ("Qua"). As the PTO provides in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim...." Therefore, the Qua patent must disclose all of the elements of the claims to sustain the rejections. Accordingly, Applicant respectfully traverses this rejection on the following grounds.

Claims 1-4 and 6-9

Claim 1, as amended, recites in part automatically temporarily storing voice data representing the voice session in a memory buffer device in a storage server; instructing the telephone recording device to store the voice data, wherein the instruction can occur at any time during the voice session so long as the voice session has not been terminated, and persistently storing the temporarily stored voice data in the storage server only after the instruction for recording is received.

In contrast, the cited text (Col. 3, lines 22-38) of Qua discloses that

In general, a user can take multiple audio notes of a specific conversation by starting and stopping a recording device included in audio note taking mechanism 129 by generating appropriate control signals from a respective communication device during that conversation. These multiple notes can then be concatenated to one another, if desired, to form a single audio note for storage purposes. The user can also make private notes before, during or after the conversation. Advantageously, the present invention enables a user's terminal to be muted while making private notes during a conversation so that other parties on a call cannot hear the user's private thoughts embodied in the audio note....

Accordingly, the cited text of Qua fails to teach or suggest temporarily storing voice data representing the voice session, as recited by claim 1. Therefore, the cited text of Qua fails to

teach or suggest every element of the claim as required by MPEP § 2131, and claim 1 is allowable over the cited reference. Claims 2-4 and 6-9 depend from and further limit claim 1 and are allowable for at least the same reason as claim 1.

Claims 10-15

Claim 10, as amended, recites in part a memory buffer for temporarily storing voice data representing the voice session, and a save initiator for dynamically initiating the voice data recording during the voice session, wherein the recording can be started by a user at any time during the voice session, and wherein the recording saves the entire voice session by copying the voice data from the memory buffer to the storage server.

In contrast, as described above, the cited text of Qua is directed towards taking "multiple audio notes of a specific conversation by starting and stopping a recording device included in audio note taking mechanism" (Col. 3, lines 22-24). Accordingly, Qua fails to teach or suggest temporarily storing voice data representing the voice session ... wherein the recording saves the entire voice session by copying the voice data from the memory buffer to the storage server as recited by claim 10. Therefore, the cited text of Qua fails to teach or suggest every element of the claim as required by MPEP § 2131, and claim 10 is allowable over the cited reference. Claims 11-15 depend from and further limit claim 10 and are allowable for at least the same reason as claim 10.

Claim 16

Claim 16, as amended, recites in part a save initiator on the telephone recording device for dynamically initiating the voice data recording at any time during the voice session, wherein the voice data represents the voice session from the beginning of the voice session.

Qua fails to teach or suggest a save initiator as recited in amended claim 16, and therefore, fails to teach or suggest every element of the claim as required by MPEP § 2131. Accordingly, claim 16 is allowable over the cited reference.

Claim 17

Claim 17, as amended, recites in part a save initiator for dynamically initiating the voice data recording during the voice session in real time in response to user input, wherein the voice data represents the voice session from the beginning of the voice session.

Qua fails to teach or suggest a save initiator as recited in amended claim 17, and therefore, fails to teach or suggest every element of the claim as required by MPEP § 2131. Accordingly, claim 17 is allowable over the cited reference.

Claim 18

Claim 18, as amended, recites in part a save initiator for dynamically initiating the voice data recording after a voice session is established between the telephone recording device and the communication device, wherein the voice data is a representation of the voice session.

Qua fails to teach or suggest a save initiator as recited in amended claim 18, and therefore, fails to teach or suggest every element of the claim as required by MPEP § 2131. Accordingly, claim 18 is allowable over the cited reference.

Claim 22


Claim 22 recites, in part, temporarily saving voice data of the session in a memory buffer of the telephone recording device; and instructing, by the user, during the session and before the session ends, the telephone recording device to store the temporarily saved voice data in a storage server connected to the local switch device.

In contrast, the cited text of Qua is directed towards taking "multiple audio notes of a specific conversation by starting and stopping a recording device included in audio note taking mechanism" (Col. 3, lines 22-24). Accordingly, Qua fails to teach or suggest temporarily saving voice data of the session as recited by claim 22. Therefore, Qua fails to teach or suggest every element of the claim as required by MPEP § 2131, and claim 22 is allowable over the cited reference. Claim 23 depends from and further limits claim 22 and is allowable for at least the same reason as claim 22.

Conclusion

It is clear from all of the foregoing that independent claims 1, 10, 16, 17, 18, and 22 are in condition for allowance. Dependent claims 24, 6-9, 11-15, 19-21, and 23 depend from and further limit their respective independent claims and therefore are allowable as well. Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,



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